

Abbott Laboratories, Inc. (Jerry Goldson)

March 6, 2008

Chicago, IL

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IN THE UNITED STATES

DISTRICT OF MASSACHUSETTS

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IN RE: PHARMACEUTICAL)

INDUSTRY AVERAGE WHOLESALE)

PRICE LITIGATION) MDL No. 1456

-----) Civil Action No.

THIS DOCUMENT RELATES TO:) 01-CV-12257-PBS

ALL CASES) Judge Patti B. Saris

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ORAL AND VIDEOTAPED 30(b)(6) DEPOSITION

OF ABBOTT LABORATORIES, INC. (JERRY GOLDSON)

March 6, 2008

ORAL AND VIDEOTAPED 30(b)(6) DEPOSITION OF
ABBOTT LABORATORIES, INC. (JERRY GOLDSON), taken
in the above-entitled cause pursuant to the
Federal Rules of Civil Procedure of the United
States District Courts, pertaining to the taking

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Chicago, IL

<p style="text-align: right;">Page 230</p> <p>1 that --</p> <p>2 A. And the archive master, yes.</p> <p>3 Q. The archive claim master?</p> <p>4 On Exhibit 15 is the letter that had</p> <p>5 the 34 additional files that were identified.</p> <p>6 It's a letter on the letterhead of Jones Day.</p> <p>7 A. They're out of order; 14, 15. Yes.</p> <p>8 Q. Okay. So there are 34 files listed</p> <p>9 here which are described on page 1. It says</p> <p>10 (reading):</p> <p>11 "In addition to the two files we have</p> <p>12 provided to you, Abbott has restored 34</p> <p>13 additional files which are described below."</p> <p>14 Are you -- have you seen any kind of</p> <p>15 listing of the files that have been restored by</p> <p>16 Pat?</p> <p>17 A. No. You mean currently?</p> <p>18 Q. Yes, in connection with the production.</p> <p>19 A. I have not.</p> <p>20 Q. Did you play any role in gathering</p> <p>21 together the list of files that were restored?</p> <p>22 A. No.</p>	<p style="text-align: right;">Page 232</p> <p>1 the questions again.</p> <p>2 THE WITNESS: You want me to clarify?</p> <p>3 BY MR. LAVINE:</p> <p>4 Q. Yeah, a clarification would be fine, if</p> <p>5 there is clarified information you want to offer.</p> <p>6 A. I was reminded that actually I did</p> <p>7 create this spreadsheet, and --</p> <p>8 Q. And you're referring to the second page</p> <p>9 of Exhibit 15?</p> <p>10 A. The second page, yes.</p> <p>11 Q. What was the source of the information</p> <p>12 that you derived this from?</p> <p>13 A. List of files on the system that I</p> <p>14 thought would be -- would be meaningful.</p> <p>15 Q. But on what system?</p> <p>16 A. Yeah, on CHIP system, using the --</p> <p>17 going through the data dictionary.</p> <p>18 Q. I'm a little mixed up. There is no</p> <p>19 operating version of CHIP right now, is there?</p> <p>20 A. No.</p> <p>21 Q. So when you say "CHIP system," what do</p> <p>22 you mean?</p>
<p style="text-align: right;">Page 231</p> <p>1 Q. And how -- have you -- are you aware of</p> <p>2 any kind of a complete list of all of the</p> <p>3 different files that might exist on those backup</p> <p>4 tapes?</p> <p>5 A. Well, that would be obtainable from --</p> <p>6 by Pat running a -- a listing on the tape.</p> <p>7 Q. And your expectation, though, would be</p> <p>8 that all of the files in the data dictionary</p> <p>9 would be on the backup tapes?</p> <p>10 A. Yes.</p> <p>11 MS. GEISLER: Mark, can we take a five-</p> <p>12 minute break right here? Just for a second. I</p> <p>13 want to talk to the witness.</p> <p>14 MR. LAVINE: Sure.</p> <p>15 THE VIDEOGRAPHER: We are off the</p> <p>16 record at 5:01 p.m.</p> <p>17 (Brief pause.)</p> <p>18 THE VIDEOGRAPHER: We are back on the</p> <p>19 record at 5:04 p.m.</p> <p>20 MS. GEISLER: We want to clarify the</p> <p>21 last group of questions, so I don't know if you</p> <p>22 want to just let him explain, or you want to ask</p>	<p style="text-align: right;">Page 233</p> <p>1 A. Well, there is two things. One -- the</p> <p>2 restore tapes have all the files on them, all the</p> <p>3 CHIP system files.</p> <p>4 Q. Okay.</p> <p>5 A. What I -- what I went through is data</p> <p>6 dictionary-type document and listed these files</p> <p>7 as being master files that would be candidates to</p> <p>8 be included.</p> <p>9 Q. All right. So this actually is not a</p> <p>10 list of everything that had been restored. It's</p> <p>11 a list of --</p> <p>12 A. Right.</p> <p>13 Q. (Continuing) -- the files you</p> <p>14 identified that you thought would be potentially</p> <p>15 relevant --</p> <p>16 A. Right.</p> <p>17 Q. (Continuing) -- to further inquiry.</p> <p>18 A. Right.</p> <p>19 Q. And after the questions we've worked</p> <p>20 through today, you've identified --</p> <p>21 A. Several more.</p> <p>22 Q. (Continuing) -- a couple additional</p>

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